

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRUCE ROGERS,
Plaintiff

v.

CONAIR CORP.,
Defendant

**CIVIL ACTION
NO. 10-1497**

FILED
APR 25 2012
MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, on this 24th day of April 2012, upon review of Defendant's Motion for Judgment on the Pleadings [Doc. No. 84], Plaintiff's Response [Doc. No. 86], Defendant's Reply [Doc. No. 90], and Plaintiff's Sur-Reply [Doc. No. 93], and upon review of Plaintiff's Notice of Constitutional Challenge [Doc. No. 87], and the Government's response thereto [Doc. No. 98], and for the reasons set forth in the attached opinion, it is hereby **ORDERED** that Defendant's Motion is **GRANTED** and Plaintiff's Constitutional Challenge to the America Invents Act is **DENIED**.

Plaintiff's Complaint is **DISMISSED** without prejudice. Plaintiff is granted leave to file an amended complaint within twenty-one (21) days of the date of this Order.

It is so **ORDERED**.

BY THE COURT:

ENTERED
APR 25 2012
CLERK OF COURT


CYNTHIA M. RUFÉ, J.